

Town of Norwell
ZONING BYLAW REVIEW COMMITTEE
Meeting Minutes of December 3, 2015

TOWN OF NORWELL
TOWN CLERK

2016 JAN 15 AM 9:24

MEETING DATE:	Thursday, December 3, 2015
TIME SCHEDULED:	7:00 P.M.
LOCATION:	Planning Office, Norwell Town Hall
MEMBERS PRESENT:	Sally I. Turner, Chair (at large) Lois S. Barbour, Vice-Chair (ZBA) Spencer A. Joseph, Clerk (at large) Patrick G. Campbell, Planning Board Bruce H. Humphrey, Conservation Commission
MEMBERS ABSENT:	Jason Brown, Board of Selectmen John Litchfield, Board of Health
TOWN EMPLOYEES PRESENT:	Chris DiIorio (arr. 7:50)
TOWN EMPLOYEES ABSENT:	Peter Morin, Town Administrator Tim FitzGerald, Inspector of Buildings
MEMBERS OF THE PUBLIC:	Steve Bjorklund

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The meeting was called to order at 7:07 P.M. by Chair Sally Turner.

Agenda: Upon a motion duly made and seconded, members present **VOTED** to approve the agenda, as written.

Minutes: Upon a motion duly made and seconded, members present **VOTED** unanimously to approve the minutes for the meeting of 11/19/15.

2016 Meeting Calendar: After a short discussion that resulted in removal of the tentative meeting date of 7/7/16, upon a motion duly made and seconded, members present **VOTED** unanimously to approve the committee's proposed meeting schedule for 2016.

Perc Testing: A clarification question was asked about the number of percs required for PB subdivision approval that was confirmed as one perc on every other lot, while the Board of Health requires every developable lots to pass a perc test prior to construction or meet state's DEP permit requirements.

Estate/Retreat Lots: An exhibit packet prepared by Chris DiIorio that included a previously drafted Norwell Planning Board amendment to NZBL § 2430 Lot Frontage and Width (that did not reach Town Meeting), as well as copies of existing frontage reduction bylaws from Plymouth and Scituate, and a basic GIS map showing some reduced frontage parcels was distributed to members. It was agreed the Town Planner would develop further maps including wetlands, not including Town-owned parcels, and showing various parcel frontage-width scenarios for future committee review.

A question was also raised as to the potential benefit to the Town of deviating from the current 1-acre lot standard. There was stated concern that reduced frontage might allow development of lots or parcels that could otherwise be undevelopable and remain as open space, a concern that has also been expressed about the current OSRD bylaw. It was noted earlier Town zoning bylaws did allow reduced frontage with increased lot size. *[Editorial Note: Lot sizes showed an increase in the 1973 version of the NZBL over the 1972 version. For clarification, please consult those*

documents.] In any event, members felt additional maps could better focus and reveal the impact of any proposed change.

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Further discussion of the practicalities of amending lot frontage requirements included:

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- Common driveways
- ANR involvement/approval
- Conservation restrictions would have dampening impact
- Number of acres as minimum? One model requires five (5) contiguous acres of upland; members consensus was that lower number should be acceptable with perhaps 2-3 acre minimum for eligibility consideration
- Requested maps needed to establish lot size requirements
- Chris to create maps showing various frontage scenarios that include wetlands

RFP for editorial/legal review: During the meeting via an email exchange, Peter Morin agreed to create an RFP for the previously agreed-upon editorial/legal review prior to the committee's next meeting on 12/17/15 that could consider coordination with the general bylaw review currently being undertaken through the Town Clerk's office.

Upon a motion duly made and seconded, members present **VOTED** unanimously to adjourn at 8:47 P.M.

ACTION ITEMS – COMPLETED AND OUTSTANDING:

Action/Information Request	Lead/Date	Action Taken/Information Obtained
1. Verify with Health Agent if any subdivisions currently exceed allowable daily wastewater discharge	JL 10/1/15 Completed	11/19/15 JL reports No requirement for lot perc testing by BoH for subdivision; however, BoH requires each lot to perc on virgin soil (no fill); if DEP GWDP applies, 110 gal/day per bedroom
2. Check DEP requirement about number of rooms (??) in a residence before considered a bedroom	JL 10/1/15 Completed	11/19/15 JL reported BoH regulations require 40,000 sq. ft. for a 4-bedroom house (NZBL is min. 1 acre); Additional bedrooms are determined by dividing total number of rooms by 2 to determine the number of "bedrooms"; each extra bedroom requires additional ¼ acre
3. Check if BoH requires perc tests on each lot as reserve if failure of wastewater treatment under DEP GWD Permit	JL 10/1/15 Completed	11/19/15 Not regulated by BoH
4. Reformatting costs	PM 10/1/15 Completed	10/15/15 PM advises Town Counsel could reformat for \$1,500-\$2,000 10/15/15 Town Counsel to attend joint PB meeting on 10/21/15 (per LSB telecom during meeting) to discuss reformatting requirements and any TC recommendations
5. Reformatting	RWG 10/21/15 Completed	Town Counsel to provide names of consultants for editorial and legal analysis of the bylaw, similar to Marshfield (3-4 months ~\$25,000); rec. 10/22/15 ; s/b discussion with Peter Morin
6. Committee presence on Town Website for posting of agenda and minutes	SIT/PM 10/15/15 Completed	Meeting minutes posted on committee's webpage; Agendas posted in Meeting Calendar section

Action/Information Request	Lead/Date	Action Taken/Information
7. Town Planner to schedule a joint meeting with PB; discussion items should include items contained in 10/1/15 minutes (see below)	SIT 10/1/15 Completed	Town Planner to post for joint-meeting PB and NZBL Review Comm. on 10/21/15 at 8:00 P.M. Agreement by committee members present that discussion with PB during joint meeting to include items indicated below from 10/1/15 minutes; Meeting held on 10/21/15
8. What sections of bylaw are obsolete or require updating? (e.g., APD, Salt Marsh, Flood Plain, etc.)	BoH and Editorial/ legal review	11/19/15 JL reports APD needs to be updated; BoH and Water Commissioners should review relevant sections of the NZBL 12/3/15 noted as open item
9. Bid for Legal/Editorial Review	SIT discuss with PM 11/19/15; 12/3/15	11/19/15 SIT and SAJ report discussion with PM and Town Clerk; Members want to obtain three bids from General Code, Code Publishing, and Municode and move process forward asap; should coordinate with Town Clerk's General Bylaw review 11/19/15 SIT to address with Town's chief procurement officer/Town Administrator 12/3/15 PM to develop RFP by next meeting
10. Status of PB action on Land disturbance bylaw	PGC 10/1/15 PB 10/21/15	Discussed during 10/21/15 joint-meeting in relation to height definition 11/19/15 PC advised PB passes to NZBL committee
11. Status of PB Height Restriction: define	PGC 10/1/15 BW 10/21/15	Discussed at 10/21/15 joint-meeting; Brad Washburn suggests definition change 11/19/15 PC advised PB passes to NZBL committee
12. Status of PB/Economic Dev. Comm. on redevelopment Accord Park	PGC 10/1/15	
13. Follow-up meeting with PB	SIT 10/21/15	Arrange for future meeting, dependent upon committee progress 11/19/15; 12/3/15 no action required at this time
14. Nuisance abatement/enforcement – identified member priority	11/19/15 continuing discussion	Lingering building projects and eyesores created when construction does not continue expeditiously; general bylaw and/or enforcement?
15. Groundwater Protection District – identified member priority	11/19/15 continuing discussion	12/3/15 noted as open item
16. OSRD density restrictions and design control – identified member priority	11/19/15 continuing discussion	12/3/15 no further discussion
17. Estate/Retreat Lots and common driveway – identified member priority	11/19/15 continuing discussion	12/3/15 Town Planner to create additional GIS maps
18. FAR – identified member concern	11/19/15 continuing discussion	12/3/15 no further discussion

ADJOURNMENT: Upon a motion duly made and seconded, members present **VOTED** unanimously to adjourn at 8:46 P.M.

NEXT SCHEDULED REGULAR MEETING: December 17, 2015, at 7:00 P.M.

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TOWN CLERK

These minutes have been approved with reading of the minutes waived by unanimous vote of the Norwell Zoning Bylaw Review Committee at a public meeting duly noticed and held on _____, in accordance with the Massachusetts Open Meeting Law.

2016 JAN 15 AM 9:24

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Signed: _____

As Clerk

Date: _____

1/14/16

Copy filed with: Office of Town Clerk

*Copies to: Town Administrator/Board of Selectmen
 Conservation Agent/Conservation Commission
 Town Planner/Planning Board
 Board of Health
 Board of Appeals
 Inspector of Buildings*

Post to Committee's Webpage